

EXHIBIT M

1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF PENNSYLVANIA

3
4 TINA LINDQUIST,)

5 Plaintiff,)

6 vs.)

NO. 04-249E

7 HEIM L.P.,)

8 Defendant.)

COPY

9
10 The discovery deposition of ANTHONY ROBERT
11 MASE, JR., taken in the above-entitled cause,
12 before Kyla Elliott, a notary public of Cook
13 County, Illinois, on the 27th day of July, 2005, at
14 33 North LaSalle Street, Chicago, Illinois,
15 pursuant to Notice.
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20

21 Reported by: Kyla Elliott, CSR, RPR

22 License No.: 084-004264
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24

1 THE WITNESS: Correct.

2 BY MR. HARTMAN:

3 Q. And then if you can't design them out or
4 guard against them, then the proper process for
5 manufacturing and designing a product would be to
6 warn the user of the danger, am I correct?

7 MR. ROBINSON: Objection to the form.

8 THE WITNESS: I believe that to be the case.

9 BY MR. HARTMAN:

10 Q. Okay. Does Heim use that analysis when it
11 manufactured the brake press involved in the
12 accident with Tina Lindquist?

13 A. I believe so.

14 Q. Now, with regard to the point protection
15 and point of operation. At the time Heim
16 manufactured -- strike that.

17 Do I have to --

18 Do you know what brake press I'm talking
19 about that was involved in the Tina Lindquist
20 accident?

21 A. Yes.

22 Q. Would you describe it for me? What's the
23 model number?

24 A. It's a 70-6, which is a 70 ton 6-foot

1 press brake, mechanical.

2 Q. And when was it sold?

3 A. I believe it was sold in 1978.

4 Q. Okay. How long had that press brake
5 been -- how many years prior to '78 had that press
6 brake been offered for sale by Heim?

7 MR. ROBINSON: The specific press brake ?

8 MR. HARTMAN: The model.

9 THE WITNESS: I'm not absolutely sure.

10 BY MR. HARTMAN:

11 Q. Can you give me an estimate?

12 A. My estimate would be 1968.

13 Q. Okay. And do you know when that model was
14 discontinued, the 70-6?

15 A. It has not been discontinued.

16 Q. It's still being used?

17 A. That's correct.

18 Q. I'm sorry, still being manufactured?

19 A. Yes.

20 Q. Is the 70-6 press brake part of a family
21 of press brakes, otherwise is there like a 60-6, is
22 there a family of similar press brakes except a
23 different size and width?

24 MR. ROBINSON: I'll object to the form of the